

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

FERRELL HINDS & JEAN HINDS,)	
)	
Plaintiffs,)	
)	
vs.)	2:04CV-219-P-A
)	
REXAM BEVERAGE CAN CO.,)	
)	
Defendant.)	

ORDER

This cause is before the Court on Defendant's Motion to Dismiss for Failure to Prosecute and/or Motion to Compel filed on November 2, 2005. Plaintiffs were served with this motion via certified mail on November 8, 2005 and filed no response to Defendant's motion. After considering the submissions of Defendant, and the arguments made therein, it is hereby ORDERED that Defendant's Motion is GRANTED.

SO ORDERED, this the 6th day of December, 2005.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE